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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional)

1301-026

In re Application of: Wagner, Michael Paul

Application No.: 10/748,753

Filed: December 30, 2003

For: Method of Allowing Point-In-Time View of Data on a Disk Using a Map on Cache Disk

The owner*, EMC Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 107126,711, filed on April 19, 2002 as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney or agent of record. Reg. No. 29,733

Signature

April 27, 2006

Date

A. Jose Cortina

Typed or printed name

(919) 544-5444

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.
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